

PROB 12C
(7/93)

Report Date: February 5, 2014

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 06 2014

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Raul Salazar

Case Number: 0980 2:10CR06012-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: December 8, 2010

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 10 months; TSR - 36 months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: December 7, 2011

Defense Attorney: Nicholas W. Marchi

Date Supervision Expires: December 6, 2014

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

- | | |
|---|--|
| 1 | <u>Mandatory Condition # 4:</u> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer. |
|---|--|

Supporting Evidence: Raul Salazar is considered in violation of his period of supervised release in the Eastern District of Washington by falsifying a random urinalysis test on February 4, 2014.

The defendant reported for to First Step Community Counseling on February 4, 2014, to provide a random urinalysis. The employee who was collecting the sample stated when the UA was given, it looked as though there was something wrong. The sample was too fast, and the employee thought he saw something. The employee took what little was in the sample and tipped it to check the temperature of the sample, it was cold. Mr. Salazar was asked at that point to lower his pants, as the employee thought he was using a device. A feeble attempt was made by Mr. Salazar to lower his pants. He then admitted he had something in his pants that had dropped and he had lost it in the bibs he was wearing. At that point, Mr. Salazar was asked to admit his use, which he refused to do. Mr. Salazar asked the employee to "give him a break," but refused to sign an admission of use form. Later, Mr. Salazar

Prob12C

Re: Salazar, Raul

February 5, 2014

Page 2

admitted his use to a counselor at the treatment facility. The counselor instructed Mr. Salazar to go speak with the employee who originally took the urine sample. Mr. Salazar then admitted to using methamphetamine on February 2, 2014, and signed an admission of use form.

- 2 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Raul Salazar is considered in violation of his period of supervised release by using a controlled substance, methamphetamine, on or prior to February 4, 2014.

On February 4, 2014, the defendant reported to First Step Community Counseling for a random drug test. As noted above, the defendant initially attempted to falsify the test. After attending treatment the defendant admitted to using methamphetamine and signed an admission form.

- 3 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Raul Salazar is considered in violation of his period of supervised release in the Eastern District of Washington by failing to report for chemical dependency treatment on December 9, 2013, and January 7, 2014.

On December 9, 2013, the defendant failed to report for his scheduled treatment session. When confronted about the missed session, he stated he had been moving residences and just could not go.

On January 7, 2014, home contact was made with the defendant. When asked why he was at home and not at treatment, the defendant stated he had to stay home and take care of his son. The defendant admitted he had not contacted the treatment facility or this officer. The defendant was visiting with a friend at the time of the contact.

- 4 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Raul Salazar is considered in violation of his conditions of supervised release in the Eastern District of Washington by failing to report for random urinalysis testing on January 9, 2014.

On January 9, 2014, the defendant failed to report for a random drug test. The defendant reported to the probation office on January 10, 2014, and supplied paperwork for a drug test which had been taken at another facility. This sample returned negative.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

Prob12C

Re: Salazar, Raul

February 5, 2014

Page 3

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/05/2014

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

2/6/2014

Date